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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92076586
Party	Plaintiff Adamson Systems Engineering, Inc.
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Submission	Reply in Support of Motion
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Date	09/17/2021
Attachments	Reply in Support of Adamson Motion to Compel.pdf(152414 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 1486017
For the Mark CS
Registered April 26, 1988

Adamson Systems Engineering, Inc.)	
a Canada corporation,)	
Petitioner,)	Cancellation No. 92076586
v.)	
Peavey Electronics Corporation,)	PETITIONER’S REPLY IN
a Delaware corporation,)	SUPPORT OF MOTION TO
Registrant.)	COMPEL
)	

Petitioner, Adamson Systems Engineering, Inc. (“Petitioner”), through its attorneys, Tonkon Torp LLP, moved the Board for an order compelling Registrant Peavey Electronics Corporation (“Registrant”) to amend its responses to Petitioner’s First Set of Interrogatories and First Set of Requests for Production. Petitioner filed and served its motion on August 26, 2021. (Docket No. 6.) The principal basis of that motion was that Registrant waived its objections to Petitioner’s discovery requests by failing to timely serve its objections, and that its untimely objections and responses were substantively improper.

Pursuant to 37 C.F.R. § 2.127(a) and TBMP § 502.02(b), Registrant was required to file and serve its response to the motion to compel within 20 days, by September 15, 2021. As of the time of this filing, Registrant has not responded to Petitioner’s motion to compel, and Petitioner’s counsel has not received any communication from Registrant’s counsel.

Accordingly, Petitioner requests the Board enter an Order: (1) declaring that Registrant's objections to the merits of Petitioner's first set of interrogatories and first set of requests for production are forfeited; (2) declaring that Registrant's objections to the relevance, scope, and proportionality of the same requests are improper; (3) declaring that Registrant's objections based on confidentiality are improper; (4) directing Registrant to, within 14 days of the date of the Order, amend its responses to Petitioner's discovery requests, without objections related to the merits of the requests or to confidentiality, and identifying where no responsive documents exist; and (5) directing Registrant to, within 14 days of the date of the Order, supplement its document production accordingly.

DATED: September 17, 2021

Respectfully Submitted,

TONKON TORP LLP

By: s/ Stephanie J. Grant

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing PETITIONER'S REPLY IN SUPPORT OF MOTION TO COMPEL has been served on counsel for Registrant, Peavey Electronics Corporation, by forwarding said copy on September 17, 2021, via e-mail to:

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s/ Stephanie J. Grant

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